

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MDL No. 3076
Case No: 1:23-md-03076-KMM

IN RE:

FTX Cryptocurrency Exchange Collapse Litigation

THIS DOCUMENT RELATES TO:

Domestic Investor Defendants

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**DOMESTIC INVESTOR DEFENDANTS' RESPONSE TO
PLAINTIFFS' NOTICE OF FILING SUPPLEMENTAL AUTHORITY**

Domestic Investor Defendants (“Defendants”) respond to Plaintiffs’ Notice of Supplemental Authority (ECF No. 903) identifying *Otto Candies, LLC v. Citigroup Inc.*, 2025 WL 1337052 (11th Cir. May 8, 2025). Yet again, Plaintiffs submit a decision involving different allegations with no application here. In *Otto Candies*, the plaintiffs pled particularized facts that the bank defendant “played an integral role” in the fraud perpetrated by its client, including drafting “fraudulent [investor] materials[.]” *See id.* at *2, *9. Further, the bank defendant allegedly “assured” plaintiffs it would “[re]solve” red flags and “[en]sure” the fraudulent entity’s “surviv[al],” while “investigat[ing] the scheme and intend[ing] to shutter” the cash-advance facility. *Id.* at *13. The defendant also allegedly conceded knowledge of the fraud by dismissing employees it believed were “directly involved in the fraud”—mirroring findings by foreign regulators and the SEC. *Id.* at *31.

Here, Plaintiffs do not and cannot plead similar facts as to Defendants (who are not banks) including that they had visibility into, ability to monitor, or involvement in, any banking transactions between FTX and Alameda. ECF No. 301 at 9-15, 23-25. Indeed, Plaintiffs’ own

pleading reflects that FTX concealed its fraud from Defendants, who were among FTX's largest victims. *Id.* at 14-15.

Dated: May 29, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 29, 2025, a true and correct copy of the foregoing has been furnished by electronic filing with the Clerk of the Court via CM/ECF, which will send notice of electronic filing to all counsel and parties of record.

/s/ T. Todd Pittenger
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